



Serial No. 09/785,778
Attorney Docket: 4758US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Fernando Stroppiana

Serial No.: 09/785,778

Filed: 16 February 2001

For: SYNTHETIC GRASS STRUCTURE
CORRESPONDING PARTICULATE
MATERIAL AND USE OF SAID
MATERIAL

Examiner: Abraham Bahta

Group Art Unit: 1775

Attorney Docket No.: 2726-4758US

CERTIFICATE OF MAILING

Express Mail Label Number:

Date of Deposit:

Person Making Deposit:

DECLARATION

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

I, Dr. Giampietro Gambino, hereby declare and affirm as follows:

1. I am the Technical Director of Mondo, S.p.A. Mondo S.p.A. is the assignee of the above referenced patent application.

2. I am over the age of 18 and am competent to give sworn testimony.
3. I have caused to be conducted a series of tests of the performance characteristics of three playing surfaces. These tests were conducted by means of what is known as an "artificial athlete" testing apparatus. An artificial athlete testing apparatus is an instrument adapted to reproduce the interaction of a surface being treaded upon by the legs or feet of an athlete, who is walking or running on the said surface. An artificial athlete may typically include a structure adapted to be placed on the surface being tested. The structure is adapted to drop a weight, onto the surface being tested, from a predetermined height and thereafter to measure the trajectory of the weight and the resulting force being exerted by the weight on the surface being tested. The trajectory and resulting force are measured over a preselected time interval, typically the time required for the weight to finally come to rest on the surface. In the referenced tests I caused to be conducted, a 11.5 kilogram weight was dropped from a height of 125 mm onto the surface being tested.
4. On or about 16 September 2003 I caused a performance characteristics test to be conducted in my presence of a natural grass playing surface (a soccer court) located in the Paschiero Stadium in Cuneo, Italy. This test utilized the artificial athlete structure described above. The results of this test are shown in the graph identified as Annex A, attached hereto.
5. On or about 24 June 2003 I caused a performance characteristics test to be conducted, again in my presence, of a playing surface (again a soccer court). To the best of my understanding and belief, this playing surface is of the type currently available under the trade designation of AstroTurf. This playing

surface has an infill composed of EPDM rubber and sand. This test utilized the same artificial athlete structure described above. This second playing surface is located at the S. Luigi Field in Trieste, Italy. The results of this test are attached hereto as Annex B.

6. On or about 14 January 2003, I caused a performance characteristics test to be conducted, once more in my presence, of a playing surface (once again a soccer court) having a synthetic grass cover structure having a sheet substrate with a plurality of filiform formations that extend from the substrate to simulate natural grass cover and a particulate filling material or infill dispersed between the filiform formations in a substantially uniform way and in such a way as to maintain the latter in substantially upright condition, wherein the particulate infill consists of a substantially homogenous material chosen from the group consisting of materials consisting of polyolefin and materials consisting of vinyl-polymer. This surface corresponds to the synthetic grass cover structure made subject to the claims of the instant application. This test utilized the artificial athlete structure described above. This playing surface is located in Gallo d'Alba, Italy. The results of this test are shown in the graph attached hereto as Annex C.
7. In the attached graphs the line A is representative of the trajectory of the weight being dropped on the surface being tested. The weight is subjected to a repeated dampened bouncing due to the at least partly elastic nature of the surface being tested.
8. Line B in the graphs is representative of the force exerted by the lower face of the weight onto the surface being tested and by way of reaction force, the force being exerted onto the lower face of the weight by the surface.

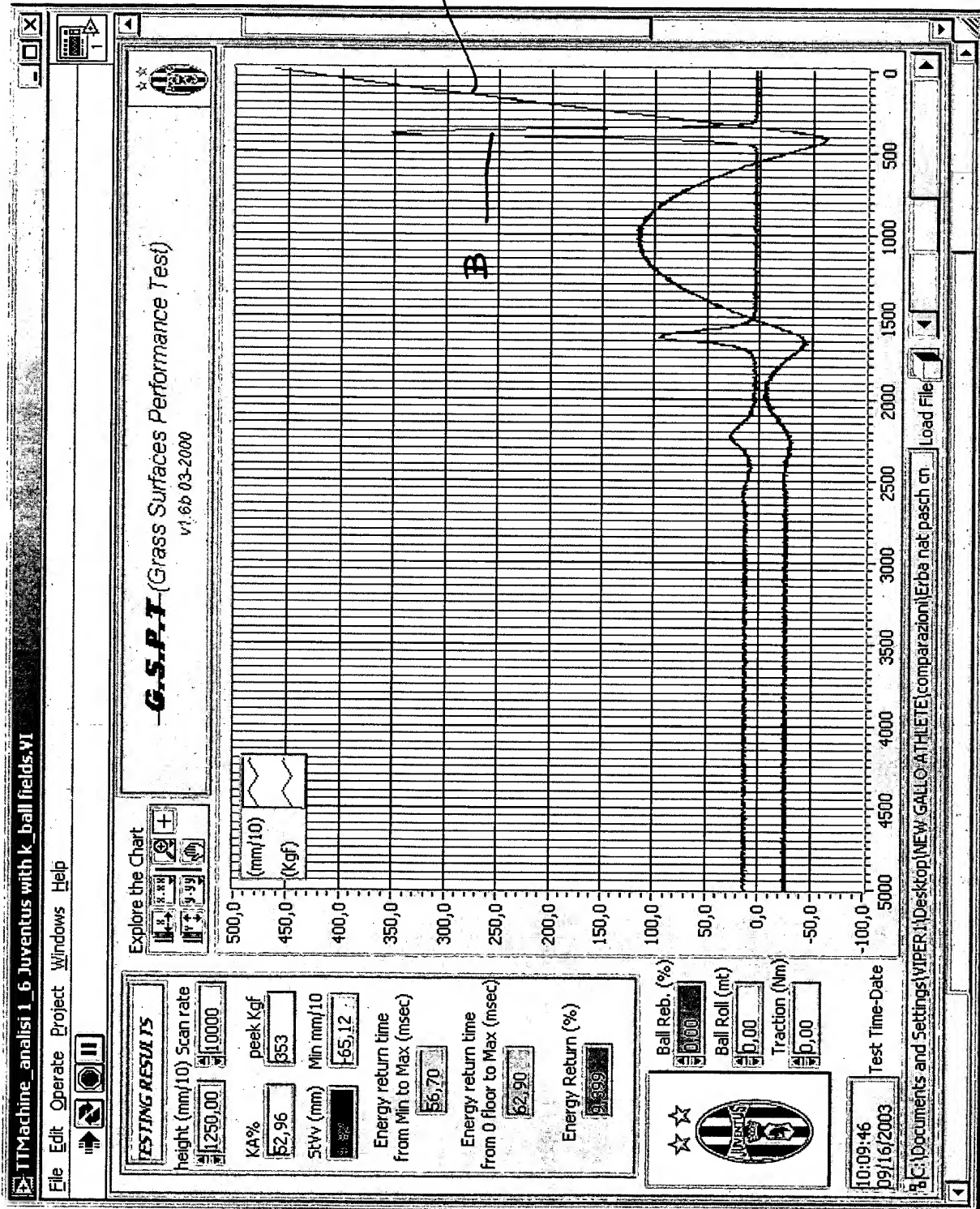
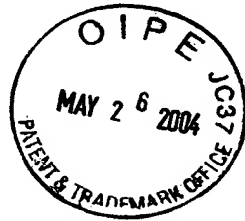
Curves A and B are held to be particularly significant in identifying the biomechanical characteristics of the surface being tested.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

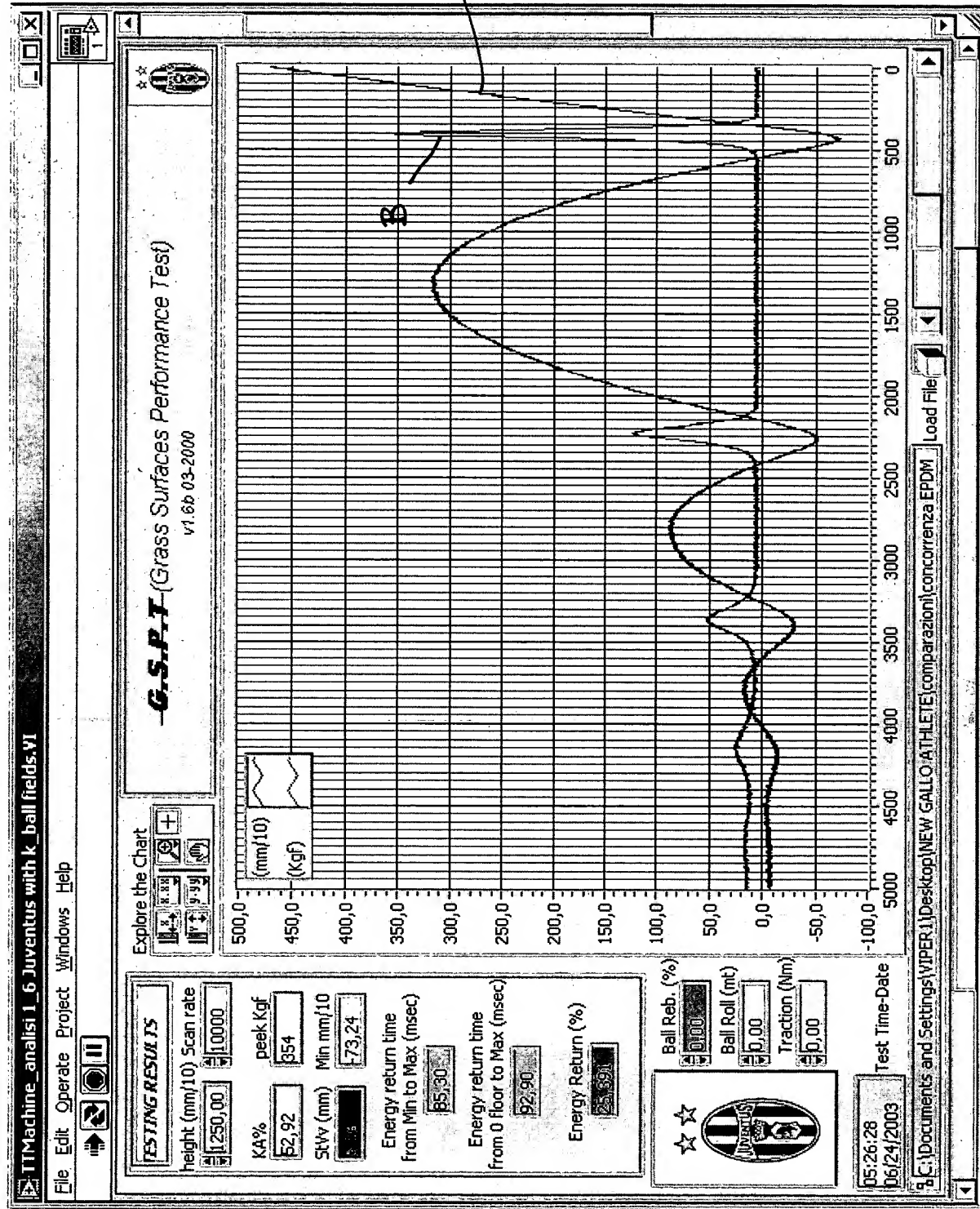

Dr. Giampietro Gambino

Dated: May 21, 2004

Annex A

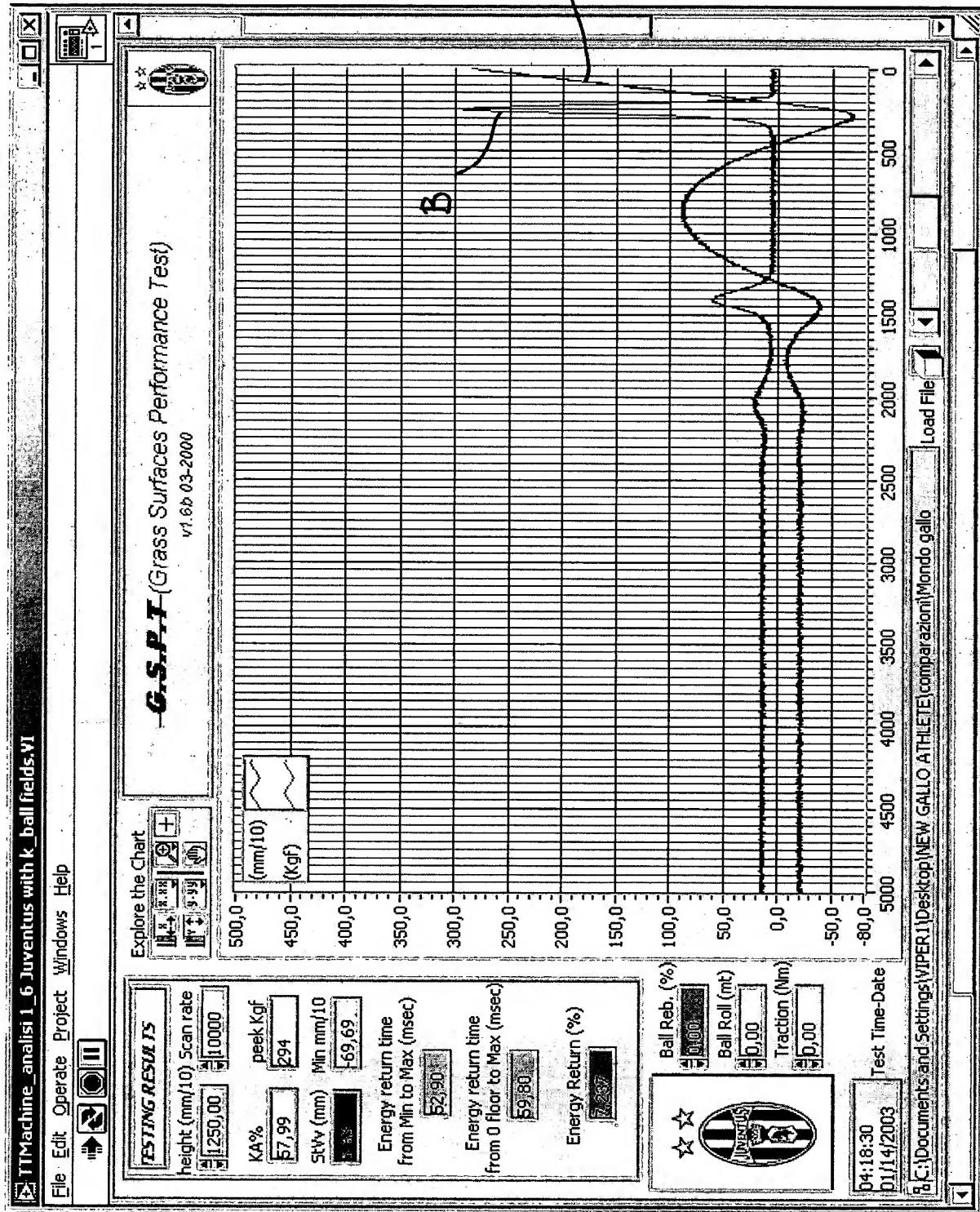


C: Campo in erba naturale, stadio Paschiero (Cuneo)



E: Campo S.LUIGI Trieste, Astroturf EPDM + sabbia

Annex C



B: Mondoturf Ecofill, Gallo d'Alba